



METHFESSEL & WERBEL

A Professional Corporation

JOEL N. WERBEL>
JOHN METHFESSEL, JR.>
FREDRIC PAUL GALLIN*+
WILLIAM S. BLOOM*>
ERIC L. HARRISON*+
MATTHEW A. WERBEL>
LORI BROWN STERNBACK*+
I. BLAKELEY JOHNSTONE, III*+
GINA M. STANZIALE>
PAUL J. ENDLER JR.>
JAMES P. CULLEN, JR.*+
THOMAS O. MULVIHILL>
JAMES FOXEN*+
SARAH K. DELAHANT+
ATHINA L. CORNELL+
JEFFREY R. MERLINO+
JENNIFER A. OSBORNE+
ANDREW J. GIBBS>
JARED S. SCHURE>

Of Counsel
Stephen R. Katzman#
ED THORNTON>
MICHAEL TRIFIOLIS>
BETH A. BOLGER+
PAUL E. GRIGGS>
Counsel
STEPHEN G. BRENNER*+
ADAM M. CARMAN*+
SHAJI M. EAPEN+
JOSEPH C. FALK>
ANGELA M. GURRERA>
GERALD KAPLAN>
JARED P. KINGSLEY*+
JOHN R. KNODEL*+
LESLIE A. KOCH=+
CHARLES T. MCCOOK, JR.*+
CHRISTINA MICHELSON+
RICHARD A. NELKE+
STEVEN K. PARNES+
RAINA M. PITTS*+
AMANDA J. SAWYER*+
STEVEN A. UNTERBURGER+

Associates
EDWARD D. DEMBLING>
KARISHMA DHRUVE>
MICHAEL R. EATROFF>
ERICA FRANCISCO-LAU+
FRANK J. KEENAN*+
SCOTT KETTERER>
ZURAB MAISURADZE>
JOHN M. MARTIN>
ANTHONY J. MANCUSO>
KAJAL J. PATEL+
ADAM M. SCHWARTZ+
VITTORIA A. SCULCO>
SARAH E. SHEPP+
ALYCIA M. SWIFT+
TIFFANY D. TAGARELLI>
Retired
JOHN METHFESSEL, SR.>
(1935-2017)
DON CROWLEY*+
(1942-2024)
MARC DEMBLING*+
(1944-2022)

May 7, 2025

VIA ECOURTS FILING

Hon. Paul A. Engelmayer, U.S.D.J.
United States District Court for the Southern District of New York
United States Courthouse
40 Foley Square
New York, NY 10007

*Certified by the Supreme Court of
New Jersey as a Civil Trial Attorney
+Member of NY & NJ Bar
*Member of PA & NJ Bar
*Member of NY Bar only
+Member of NJ Bar only
#Member of NJ & LA Bar
<Member of NJ & DC Bar
≤Member of NJ, NY & CA Bar
≥Member of NJ, PA & DC Bar
~Member of NY, NJ & DC Bar
=Member of NY, NJ & MA Bar

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RE: **COLONY INSURANCE VS. OZ SOLUTIONS, ET AL.**

Our File No. : 94403a SME
Docket No. : 1:24-CV-01935

Dear Judge Engelmayer:

This office represents Plaintiff Colony Insurance Company. For the reasons set forth below and with consent of all counsel, it is respectfully requested that the Court enter the attached Amended Civil Case Management Plan and Scheduling Order.

This action is brought by Colony seeking rescission of the policies issued to Oz Solutions. By Order dated April 4, 2025, ECF No. 97, the Court permitted Colony to file an Amended Complaint, which it did on April 11, 2025 (ECF No. 99). In the Amended Complaint, Colony joined two new parties and added a new cause of action against defendant Oren Ziv (piercing the corporate veil). As a result of the new claim, Colony served supplemental discovery demands on Mr. Ziv for the piercing the corporate veil.

Further, as advised by letter dated April 4, 2025 (ECF No. 103), a settlement was reached in 470 4th Avenue Fee Owner LLC v. Adam America, LLC, Danya Cebus Construction, LLC and 470 4th Avenue Investors, LLC., et al., Index No. 656506/2018 (the "Underlying Action") that will result in a dismissal of all claims in this matter between Colony and defendants Danya Cebus Construction, Sentinel Insurance Company and Endurance American Insurance Company d/b/a Somp International. However, the settlement does not resolve Colony and Endurance's claims against Oz Solutions and Mr. Ziv.

2025 Lincoln Highway • Suite 200 • P.O. Box 3012 • Edison, NJ 08818 • (732) 248-4200 • FAX (732) 248-2355
112 West 34th Street • 17th Floor • New York, NY 10120 • (212) 947-1999 • FAX (212) 947-3332
One Liberty Place • 1650 Market St., 36th Floor • Philadelphia, PA 19103 • (215) 665-5622 • FAX (215) 665-5623
101 Federal Street • Suite 1900 • Boston, MA 02110 • (617) 204-5630 • FAX (617) 977-9398

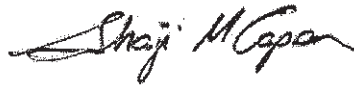
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Given the additional parties and the new claim, the parties are submitting an Amended Civil Case Management Plan and Scheduling Order that pushes out the current dates by approximately 60 days to complete discovery. Counsel for the remaining parties (Oz Solutions/Mr. Ziv and Endurance) have consented to the Amended Civil Case Management Plan and Scheduling Order.

Accordingly, the parties respectfully request the Court enter the attached Amended Civil Case Management Plan and Scheduling Order. The parties would be pleased to address any questions the Court may have concerning this request.

Respectfully submitted,
METHFESSEL & WERBEL, ESQS.



Shaji M. Eapen
eapen@methwerb.com
Ext. 131

SME:kfh
Enclosure

cc: All Counsel of Record Via ECF

GRANTED. The telephonic case management conference is hereby rescheduled to August 13, 2025 at 11 a.m.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Date: May 7, 2025